

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Barry R. Henderson
Debtor(s)

Bankruptcy Case No.: 15-20353-CMB
Related to Dkt. No. 55
Chapter: 13
Docket No.: 56 – 55
Concil. Conf.: January 24, 2019 at 11:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **December 24, 2018**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **January 7, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **January 24, 2019 at 11:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: November 8, 2018

Carlota M. Bohm
United States Bankruptcy Judge

cm: All Creditors and Parties In Interest

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Barry R. Henderson
 Debtor

Case No. 15-20353-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 410

Page 1 of 2
 Total Noticed: 13

Date Rcvd: Nov 08, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2018.

db +Barry R. Henderson, 535 Breakiron Road Extension, Connellsville, PA 15425-6345
 cr +Wilmington Savings Fund Society, FSB, et al, 1600 South Douglass Road,
 Anaheim, CA 92806-5948
 14035804 +Bayview Loan Servicing, LLC, a Delaware Limited Li, 4425 Ponce de Leon Boulevard,
 Coral Gables, FL 33146-1837
 14519832 +CLEARSPRING LOAN SERVICES, INC., 18451 N. DALLAS PARKWAY, SUITE 100, DALLAS, TX 75287-5209
 13990751 Columbia House DVD Club, P.O. Box 91601, Rantoul, IL 61866-8601
 13990752 First National Bank of PA, 4140 East State Street, Hermitage, PA 16148-3487
 13990753 Phelan Hallinan, LLP, One Penn Center Plaza @ Suburban Station,
 1617 John F. Kennedy Blvd.--Suite 1400, Philadelphia, PA 19103-1814
 13990754 #+Trident Asset Manageme, 53 Perimeter Ctr E Ste 4, Atlanta, GA 30346-2230
 14704983 +Wilmington Savings Fund Society, FSB, et al, c/o Carrington Mortgage Services, LLC,
 1600 South Douglass Road, Anaheim, CA 92806-5948

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14019492 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 09 2018 02:38:46
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 13990750 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Nov 09 2018 02:31:45
 Bayview Loan Servicing, 4425 Ponce De Leon Boulevard--5th Floor,
 Coral Gables, FL 33146-1837
 14223843 +E-mail/Text: bncmail@w-legal.com Nov 09 2018 02:31:29 Trifera, LLC,
 c/o Weinstein & Riley, P.S., 2001 Western Avenue, Suite 400, Seattle, WA 98121-3132
 13990755 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Nov 09 2018 02:30:25
 Verizon, Attn: Bankruptcy, 500 Technology Drive, Weldon Spring, MO 63304-2225
 TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Bayview Loan Servicing, LLC, a Delaware Limited Li
 cr Wilmington Savings Fund Society FSB as trustee of
 cr Wilmington Savings Fund Society, FSB
 cr* +CLEARSPRING LOAN SERVICES, INC., 18451 N. DALLAS PARKWAY, SUITE 100,
 DALLAS, TX 75287-5209
 cr* +Trifera, LLC, c/o Weinstein & Riley, P.S., 2001 Western Avenue, Suite 400,
 Seattle, WA 98121-3132

TOTALS: 3, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
 While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 10, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 8, 2018 at the address(es) listed below:

Celine P. DerKrikorian on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company ecfmaw@mwc-law.com
 Daniel R. White on behalf of Debtor Barry R. Henderson dwhite@zeblaw.com,
 gianna@zeblaw.com;dwhite.zmw@gmail.com;r63228@notify.bestcase.com
 James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society FSB as trustee of
 Stanwich Mortgage Loan Trust A bkgroup@kmlawgroup.com
 Joseph A. Dessoye on behalf of Creditor CLEARSPRING LOAN SERVICES, INC. pawb@fedphe.com
 Laurence A. Mester on behalf of Creditor Wilmington Savings Fund Society, FSB
 lmester@mesterschwartz.com, jottinger@mesterschwartz.com/jschwartz@mesterschwartz.com

District/off: 0315-2

User: jhel
Form ID: 410

Page 2 of 2
Total Noticed: 13

Date Rcvd: Nov 08, 2018

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Thomas Song on behalf of Creditor Trifera, LLC pawb@fedphe.com

TOTAL: 8